REMARKS

Claims 1 - 32 are presently pending. In the above-identified Office Action, the Examiner rejected the Claims under 35 U.S.C. § 102(e) as being anticipated by Farris *et al.* (U.S. Patent No. 6,167,253) hereinafter 'Farris'.

For the reasons set forth more fully below, Applicants respectfully submit that the invention is patentable over the prior art. Reconsideration, allowance and passage to issue are therefore respectfully requested.

The present invention addresses the need in the art for a system or method for providing an instant replay capability for mobile receivers. In a most general implementation, the inventive system is a receiver adapted to receive a transmitted signal and provide an instantaneous output signal in response thereto. The inventive receiver includes a medium (electronic or physical) for storing at least a portion of the received signal. In accordance with present teachings, the inventive receiver selectively outputs either a stored selection or the receive signal in response to user input (i.e. a replay signal).

In the illustrative embodiment, the receiver is a satellite digital audio radio service receiver having a radio frequency tuner and audio decoder. The system controller is a microprocessor that causes the system to store each selection as it is received. In the best mode, this is facilitated by the transmission and reception of a start of selection signal and an end of selection signal. The replay signal is provided via a user interface. Software running on a microprocessor includes code for detecting the presence of the instant replay signal. On detection of the replay signal, the software causes the system to output the stored selection.

The invention is set forth in Claims of varying scope, of which Claim 1 is illustrative. Claim 1 reads as follows:

> 1. A receiver comprising:
> first means for receiving a transmitted signal and providing an instantaneous output signal in response thereto;
> second means for storing at least a portion of said received signal;
> **third means for providing a replay signal; and**
> **fourth means for selectively outputting said stored portion of said received signal or said instantaneous output signal in response to said replay signal.** (Emphasis added.)

In the above-identified Office Action, the Examiner cited Farris and suggested that Farris anticipated the invention as presently claimed. Farris purports to disclose a mobile data message electronic mail download system. The Examiner suggests that inasmuch as the present application defines a replay signal as a simple button or a microphone, the button or microphone of Farris corresponds to the claimed replay signal. However, the Examiner's premise is false.

The passage relied on by the Examiner (page 7, lines 8-19 of the subject Application) refers to an 'input device' (not a replay signal) as being a 'simple button or microphone'. See for example lines 8 and 9 on page 7 which, as amended, read as follows:

> "The interface 1000 is adapted to receive an instant replay input from a user via a suitable input device 1010. **The input device 1010** may be a simple button or a microphone with voice recognition capability." (Emphasis added.)

Clearly, the input device is not the 'replay signal'. The input device merely provides a signal which is interpreted as a 'replay signal' by the present invention. For a signal to serve as an 'instant replay signal', the system must be adapted with either hardware or software to recognize it as such and subsequently change the configuration or operation of the system accordingly. While the subject application provides a teaching of a system having this capability, no such teaching is provided by Farris.

Consequently, with respect to the inventions of Claims 1-14 and 25-32, Farris provides no means for providing a replay signal nor means for selectively outputting a stored portion of a received signal or an instantaneous output signal in response to the replay signal. The same applies to the inventions of Claims 15-24. However, with respect to Claims 15-24, Farris also fails to teach a satellite digital audio receiver.

Clearly, Farris does not teach, disclose or suggest the invention as presently claimed. Accordingly, reconsideration, allowance and passage to issue are respectfully requested.

Respectfully submitted,
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

Paragraph beginning at line 3, page 7 has been amended as follows:

Fig. 3 is a simplified block diagram of an illustrative implementation of a satellite digital audio radio service receiver incorporating the teachings of the present invention. The receiver 20 includes an antenna 110, an RF tuner module 200, a digital audio storage media 700, an audio decoder 800, a system controller 500, and a user interface 1000. The interface 1000 is adapted to receive and instant replay input from a user via a suitable input device 1010. The input device 1010 may be a simple button or a microphone with voice recognition capability.